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RESPONSE UNDER 37 C.F.R. § 1.116 Expedited Examination Procedure Examining Group 2872

PATENT ATTORNEY DOCKET NO. 045070-5032

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yumiko OUCHI) Confirmation No. 2964
Application No. 09/748,196) Group Art Unit: 2872
Filed: December 27, 2000) Examiner: Lee A. Fineman
For: STEREOMICROSCOPE AND TRANSMISSION ILLUMINATION APPARATUS)))
Mail Stop AF Commissioner for Patents U.S. Patent and Trademark Office 2011 South Clark Place Customer Window Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202 Sir:	DEC -9 2003
AMENDMENT TRANSM	IITTAL FORM
1. Transmitted herewith is a Second Amendr Action dated July 3, 2003 (Paper No. 14) a November 28, 2003, and pursuant to 37 C	and the Advisory Action dated
2. Additional papers enclosed: Submission of Replacement Drawi Information Disclosure Statement Form PTO-1449, reference Verification of a Translation (with priority document). 12/04/2003 SDENBOB1 00000152 500310 09748196	included
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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of time is required. However, this

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Months Requested	Fee for Extension	[Fee for Small Entity]		
one month two months three months four months	\$ 110.00 \$ 420.00 \$ 950.00 \$ 1,480.00	\$ 55.00 \$ 210.00 \$ 475.00 \$ 740.00		

Extension of time fee due with this request: \$420.00.

If an additional extension of time is required, please consider this a Petition therefor.

An extension for <u>1</u> month has already been secured and the fee paid therefor of \$110.00 is deducted from the total fee due for the total months of extension now requested.

4. <u>Constructive Petition</u>

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	9	minus	20	0	x \$18 each=	+ \$0.00
Independent Claims (37 C.F.R.§1.16(b))	7	minus	8	0	x \$86 each=	+ \$344.00
[] First presentation of Multiple dependent claim(s) \$290.00						+ \$0.00
SUB-TOTAL =					\$0.00	
Reduction by ½ for filing by a small entity					- \$0.00	
TOTAL FEE =					\$0.00	

6. Fee Payment

	No fee is to be paid at this time.
\boxtimes	The Commissioner is hereby authorized to charge the fee of \$ 310.00
	(representing \$ 420.00 for the two-month extension of time minus \$ 110.00
	previously paid to secure a one-month extension of time) to Deposit Account No
	50-0310.
\boxtimes	The Commissioner is hereby authorized to charge any additional fees which may
	be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any
	overpayment to Deposit Account 50-0310.

Respectfully Submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 3, 2003

By: Baldine Brunel Paul

Registration No. 54,369

Customer No. 09629 MORGAN, LEWIS & BOCKIUS LLP 1111 Pennsylvania Avenue, N.W. Washington, DC 20004 202-739-3000 (Phone)

202-739-3001 (Fax)



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Sir:

Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202

SECOND AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated July 3, 2003 (Paper No. 14) and the Advisory Action dated November 28, 2003, the period for response to which has been extended through December 3, 2003, by the request for a two-month extension of time and fee filed concurrently herewith, pursuant to 37 C.F.R. §1.116, entry of the following amendment is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.